

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Criminal No. 18-215 (ADM/TNL)

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	<b>DEFENDANT’S PROPOSED</b>
	)	<b>VOIR DIRE QUESTIONS</b>
(2) BRANDON BROOKS-DAVIS,	)	
	)	
Defendant.	)	

Brandon Brooks-Davis, by and through his attorney, requests the Court to inquire of the jury panel to the following questions:

**PARTICIPANTS IN CASE**

1. Do you know the defendant?
2. Do you know any of the other prospective jurors?
3. The prosecution is represented by AUSA Thomas Calhoun-Lopez. Do you know him? Do you know anyone who works for the United States Attorney’s Office?
4. Mr. Brooks-Davis is represented by A.L. Brown. Do you know him?
5. Do you know or recognize any of the potential witnesses: [read names provided in Witness Lists].

**BASIC BACKGROUND**

6. Where do you live? Tell us a little bit about the family that you grew up in where you were raised, what your parents did for employment, if you have brothers and sisters and what they are doing with themselves.
7. What is your profession or employment? How long?

8. If you have a spouse or partner, what is their employment? How long?
9. What is your educational background?
10. Do you have children?  
If so, their ages, and employment if any.
11. What organizations do you belong to? What do you do in your spare time? Do you do any volunteer work for any organizations?
12. How do you get your news? Do you regularly watch law enforcement/crime shows such as Law and Order and/or CSI?
13. Do you have any religious or philosophical convictions which would make it difficult for you to be a fair and neutral juror in this case?
14. Do you have any physical condition which would make it difficult for you to sit as a juror?

**PREVIOUS JURY SERVICE**

15. Have you ever had any jury experience before?
  - a. If so, on how many juries have you served?
  - b. Were these in criminal or civil cases?
  - c. Was there a verdict? What was the result? Did you enjoy that experience?
  - d. If there was a verdict, how long did it take to reach that verdict?
16. What kind of case was it?
17. Was it state or federal?

18. Was there anything about your previous jury experience that would lead you to feel that you may have some prejudices either for or against the prosecution or the defense?

**PREVIOUS CONTACT WITH LAW ENFORCEMENT**

19. Have you or any relatives, friends, neighbors, or acquaintances involved in law enforcement, such as police officer, deputy sheriffs, federal agents, prosecutors?
- a. (If so), is there anything about your experience, or your relationship or discussions with these other people that would affect your approach to this case?
- b. Have you ever been involved in Neighborhood Crime Watch programs, Mothers Against Drunk Drivers or crime victim's rights groups? As part of such programs, have you had contact with the police?
20. Do you believe law enforcement agents are more honest or trustworthy than other people?
21. Would you be more likely to believe the testimony of a law enforcement agents simply because they are a law enforcement agent?

**LEGAL AND LAW ENFORCEMENT EXPERIENCE**

22. Do you have any legal or law enforcement training?

- 23. Have you taken any law or law enforcement courses?
- 24. Do you have friends, relatives, neighbors or acquaintances who are lawyers, judges or are employed in any other job within the legal profession?
- 25. Have you ever testified in court?

**CRIME**

- 26. Have you or any friends, relatives, neighbors or acquaintances ever been victims of a crime?
- 27. Have you or any of your friends, relatives, neighbors or acquaintances ever been accused, investigated, charged with or convicted of a crime?
- 28. Do you think if a person associates with someone who commits crimes it is more likely that the first person is committing or has committed a crime too?

**FIREARMS**

- 29. This case involves an allegation of illegally possessing a gun. Based on that description alone, do you have strong feelings that would make it difficult for you to sit as a juror in this case?
- 30. Do you have any strong feelings about the use and ownership of firearms?
- 31. Do you have strong feelings about people who are accused of illegally possessing ammunition?
- 32. Do you or any members of your family own firearms? (If so, what kind and how many.)

33. Have you or any of your close friends or relatives ever belonged to any organization which is either for or against gun control laws? If so, which organizations? If not, do you agree with the beliefs of such organizations?
34. If selected as a juror, will your personal views on firearms play any role in your decision in the case?

**FOLLOWING INSTRUCTIONS**

35. Will you follow the Court's instructions to the jury strictly, whether you agree or disagree with them?
36. Do you understand and agree that the burden of proof is exclusively on the government and that evidence must show guilt beyond a reasonable doubt or you must find the defendant not guilty?
37. Do you understand and agree with the principle that the defendant is presumed innocent and that the presumption is sufficient to require a verdict of not guilty unless it is overcome by proof beyond a reasonable doubt?
38. Would you be able to find the defendant not guilty if the government didn't prove their case beyond a reasonable doubt?
39. Do you understand and agree with the principle that in a criminal case the defendant has absolutely no obligation to produce any evidence, to prove his innocence, to testify, or to satisfy any burden of proof?
40. Do you understand that the fact that an Indictment has been filed in this case is no evidence whatsoever of the guilt of the defendant?

- 41. Do you understand that because an Indictment has been filed, no inference of guilt may be drawn from the accusation?
- 42. Do you take the position that person must be guilty if they do not testify on their behalf or present any evidence?

**RACE AND LOCATION**

- 43. You will hear that this case involves a gun that was recovered from a car in Edina. Do you live there? Know people that live in Edina? What kind of thoughts do you have about Edina?
- 44. Mr. Brooks-Davis is African American. Have you had experiences with African American people on a personal level? Friendships? Acquaintances? Coworkers, boss or subordinates?
- 45. Have you had any negative or positive experiences with African Americans that might affect your ability to be fair and impartial as a juror in this case?
- 46. Do you believe that African American people are more likely than other races to commit certain crimes?
- 47. Do you believe that African American people are more likely than other races to be stopped or questioned by the police?
- 48. Have you ever been exposed to people who exhibited racial or ethnic prejudice? What did you think or do?
- 49. If you were chosen for the jury and a fellow juror made comments that showed racial bias against African Americans, would you speak up and remind your fellow jurors that this case cannot be decided based on race?

**BASIC**

50. As you sit here now do you have any opinion about this case, or as to what the result should be?
51. If selected as a juror on this case, will you base your decision as to the defendant's guilt or innocence entirely upon the evidence presented to you during trial?
52. Is there anything about the character or nature of this case which causes you to have any feelings of prejudice or sympathy one way or the other?
53. Is there anything else the Court should know about you that may impact your ability to be a fair and impartial juror in this case?

Dated: April 08, 2019

Respectfully submitted

/s/ A.L. Brown

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